

YW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,938	10/29/2003	Kazuto Washio	2091-0300P	6148
2292	7590	02/25/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			LEE, HWA C	
PO BOX 747			ART UNIT	
FALLS CHURCH, VA 22040-0747			PAPER NUMBER	
			2672	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,938

Applicant(s)

WASHIO, KAZUTO

Examiner

Hwa C Lee

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Yu et al., US Patent No: 6,684,087.

3. In reference to claim 1, Yu et al. explicitly teaches transforming the image requested by a mobile display device into a size suitable to fit well into the screen of said mobile device (Col. 1, line 64 – Col. 2, line 45). Since a mobile device comprises a display screen too small to display normal images created for desktop display monitors, Yu et al. allows the original images to be processed to fit specific mobile devices. This often involves reduction of the original image, which allows the image to be transmitted faster and without delay. In addition, details of the original image are not sacrificed since Yu et al. allows the user to click on portions of the reduced image in order to display the detailed version of said portion. In addition, Yu et al. explicitly teaches fetching the image requested by the mobile device, which specifically is receiving selection of one of a plurality of image data sets by using a terminal (col. 7, lines 1-11). Since the image would not be properly displayed on a mobile display device, said image

is preprocessed according to the parameters of mobile device provided in the associated account. The parameters used may include the screen size and the type (Col. 7, line 12-23; Col. 7, line 57 – Col. 8, line 18 and Col. 8, lines 33-63). Said parameters provided in the associated account must be received by the account manager in order to preprocess said image properly. Thus, said receiving parameters specifically are receiving specification of a model of a mobile terminal to which a processed image data set generated from the selected one of the plurality of image data sets is sent. FIG. 4 explicitly shows the Device ID (402), Subscriber ID (404) and Device Specification (410), which specifically are specification of a model of a mobile terminal as recited in the current claim. In addition, Yu et al. explicitly teaches that the account manager (312) may use the IP address of the mobile display device as the device ID, and thus said destination address for sending the processed image data set is received by the account manager. In addition, said destination address of the mobile device must be known in order to communicate and transmit the request image to said mobile device. Further, once the IP address is identified by the account manager, said destination address has been received. Also, preprocessing said requested image to fit the mobile device and displaying said preprocessed image as applied above (Col. 7, line 12-25 and FIG. 5B) specifically is displaying on the terminal the selected one of the image data sets and an image area in accordance with a specification of a screen of the mobile terminal that has been specified. Said requested image is preprocessed according to the device specification found in the associated account information.

4. Yu et al. further teaches that said preprocessed image is subdivided into a plurality of parts, and once the user clicks on said desired portion, said desired portion is activated and detailed image of said desired portion is displayed (Col. 7, line 24 – Col. 8, line 32 and FIG. 5A-6B). When said the user clicks on the desired portion, specification of a change in position and/or size of the image area are received by the account manager. The display area is changed and detailed image of said new display area is transmitted to the mobile device and displayed. When said desired portion is transmitted and displayed on the mobile device, all data not associated with the desired portion is cut or removed, and only the desire portion specified by the user is used in generating the new processed image.

5. In regards to claim 4, Yu et al. explicitly teaches an apparatus for performing the method of claim 1 above.

6. In regards to claim 7, both the mobile device and the link server (300) specifically are computers, and all computers must have computer programs for executing the functions of said computers. Thus, Yu et al. explicitly teaches a computer program for performing the method of claim 1, which specifically is directed to identical limitation as the instant claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 2-3, 5-6, and 8-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu et al., US Patent No: 6,684,087 in view of Kinoshita, U.S. Patent Application Publication No. 2002/0136467.

10. In regards to claim 2, Yu et al. teaches the image processing method of claim 1, but Yu et al. does not explicitly teach wherein the step of receiving the specification of the change is the step of receiving of the change while an aspect ratio area is maintained in the size in accordance with the specification of the screen of the mobile terminal. It is well known in the art, however, that an aspect ratio area should be maintained in the size in accordance with the specification of the screen of the mobile terminal. If said aspect ratio is not maintained to fit the size of the mobile device, the processed image will be distorted and will appear improper to the user. Although, Yu et al. is silent to said limitation, it is clear that Yu et al. teaches processing the image to fit the display size of the mobile device. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to take the teachings of Yu et al. and to make sure the processed image maintains the aspect ratio of the image area in accordance with the display size of the mobile device. For example, an analogous art,

Art Unit: 2672

Kinoshita teaches an information terminal device for modifying an image to a desired size in accordance with the size of the display device (Paragraph [0001]-[0007]) by processing the image, which includes cutting out a portion of the image. While processing the image to fit the size of the display device, said aspect ratio of said image is maintained (Paragraph [0038]). By maintaining the aspect ratio when processing (reducing) the original image in accordance to the mobile device display size, said processed image would appear normal and not distorted. When changing the size of an image to fit a different display size, the aspect ratio must be maintained accordance with the shape and size of the display device if the original context of the original image is to be conveyed to the user.

11. In regards to claim 5, Yu et al. and Kinoshita both explicitly teach an apparatus for performing the method of claims 1 and 4 above.

12. In regards to claim 8, Yu et al. and Kinoshita both explicitly teach a computer program as applied to claim 7 above.

13. In regards to claim 3, Yu et al. and Kinoshita teaches the method of claim 1, but do not explicitly teach wherein the plurality of image data sets are image data sets uploaded from the terminal. Although, Yu et al. is silent to said limitations, uploading images to a server is well known in the art, which allows a mobile device with limited storage space to store a plurality of image data which would normally exceed the mobile device's storage capacity on a remote server. Said remote server provides a plurality of mobile device to access the images associated with corresponding mobile device based on the specification of said mobile device. This alleviates the need for the mobile device

to have a large storage space and yet access a plurality of images, and by reducing the storage capacity of the mobile device, said mobile device can be smaller and lighter.

Thus, it would have been obvious to one of ordinary skill in the art to take the teachings of Yu et al. and Kinoshita, and to modify said teachings to allow mobile terminal devices to upload images and access said uploaded images. This alleviates the need for mobile device to have a large storage capacity, which allows said mobile device to be smaller and lighter.

14. In regards to claim 6, Yu et al. and Kinoshita both explicitly teach an apparatus for performing the method of claims 1 and 4 above.

15. In regards to claim 9, Yu et al. and Kinoshita both explicitly teach a computer program as applied to claim 7 above.

16. In regards to claim 10, Yu et al. explicitly teaches a mobile terminal device with a rectangular display (FIG. 2), which specifically comprises four sides of which two of the sides are longer than the remaining two sides. This is the definition of a rectangle. In addition, Yu et al. explicitly teaches that the image requested by said mobile terminal device with a rectangular display is preprocessed in accordance with the size and shape of said mobile terminal device as applied to claims 1-9 above. Further, the aspect ratio of said processed image is maintained throughout the image processing as taught by Kinoshita. In order to modify the image to fit the display of the mobile device, said longer side of the image must be positioned to align with the longer side of the display. This is defined and encompassed by the teachings of Yu et al. If said longer side of the image did not align with the longer side of the display, valuable display area

will be unused and the displayed image will be smaller than necessary. FIGS. 5A-5D explicitly teaches said limitation.

17. In regards to claim 12, Yu et al. and Kinoshita explicitly teach an apparatus as applied to claim 4 above.

18. In regards to claim 14, Yu et al. and Kinoshita both explicitly teach a computer program as applied to claim 7 above.

19. In regards to claim 11, the same basis and rationale for claim rejection as applied to claims 1 and 10 are applied. The limitations of instant claim are identical to the combination of claims 1 and 10 above. Since Yu et al. and Kinoshita in combination teach all limitations of claims 1 and 10, said limitations of claim 11 are also taught by Yu et al. and Kinoshita as applied to claims 1 and 10 above. Further, claim 11 takes the limitations of claim 1 and adds that said display of the mobile terminal device is a rectangle as applied to claim 10 above.

20. In regards to claim 13, Yu et al. and Kinoshita explicitly teaches an apparatus as applied to claim 4 above.

21. In regards to claim 15, Yu et al. and Kinoshita both explicitly teach a computer program as applied to claim 7 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwa C Lee whose telephone number is 703-305-8987. The examiner can normally be reached on M-F 8:00-5:30.

Art Unit: 2672

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hwa C Lee
Examiner
Art Unit 2672

HCL
02/18/2005

A handwritten signature in black ink, appearing to be 'HCL', with a long horizontal line extending to the right.